IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No.734 of 03

Brahamchari Preanav Chaitnaya
Chela Swami Swaroopanand
Pareamhans …… petitioner

Vs.

State of Uttaranchal and others……. Respondents

Mr. J.P.Joshi, Advocate for the petitioner.
Mr. N.B.Tiwari,C.S.C. for the State

Coram: Hon. S.H. Kapadia,C.J.
Hon. P.C. Verma, J.

Date: 8.8.2003.

PC:

This writ petition has been filed purportedly seeking to challenge the intimation dated 2.5.2002 addressed to the Sub-Divisional Magistrate to implement order of demolition dated 3.8.2001. Surprisingly, the order of demolition is not annexed. Orally, learned counsel for the petitioner stated that they have not received the order of demolition till date. However, there is no averment in the writ petition to that effect.

Looking to this problem, learned counsel applies for withdrawal of the writ petition. Permission granted.

However, this will not preclude the petitioner from filing new petition, if so advised. However, if the Court finds any suppression of material fact, the Court will take appropriate action for perjury, which is made clear to the learned counsel for the petitioner.

The petition is dismissed for want of prosecution.

(P.C. Verma, J) **(S.H. Kapadia, C.J.)**

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